



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

*Promoting the wise use of land  
Helping build great communities*

**SUBDIVISION REVIEW BOARD**

<b>MEETING DATE</b> November 7, 2016	<b>CONTACT/PHONE</b> Jo Manson (805) 781-4660 jmanson@co.slo.ca.us	<b>APPLICANT</b> Najdik Amirian	<b>FILE NO.</b> CO 08-0115 SUB2008-00046
<b>SUBJECT</b> A request for a <b>First Time Extension</b> by <b>NAJDIK AMIRIAN</b> for a Conditional Use Permit and concurrent Vesting Tentative Parcel Map to: 1) subdivide an existing 2.85 acre parcel into six parcels ranging in size from 9,021 square feet up to 19,475 square feet for development of a retail center; and 2) construction on the resulting parcels of five buildings of approximately 3,065 square feet, 3,128 square feet, 4,576 square feet, 4,964 square feet, and 5,145 square feet, parking for 99 vehicles, grading, and landscaping. The remainder of the property would remain as private open space. The project will result in the disturbance of approximately 2.3 acres on a 2.85 acre parcel. The project includes abandonment of Ag Hill Road that terminates at the CAL TRANS Right-of-Way along Highway 101. The proposed project is within the Commercial Retail land use category and is located at the northeast corner of Highway 101 and Vineyard Drive, in the community of Templeton. The site is in the Salinas River Sub-area in the North County planning area.			
<b>RECOMMENDED ACTION</b> Approve the <b>first time extension request</b> for Vesting Tentative Parcel Map CO 08-0115 and Conditional Use Permit.			
<b>ENVIRONMENTAL DETERMINATION</b> A Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on July 1, 2010 for this project. The Negative Declaration was approved by the Subdivision Review Board on September 13, 2010.			
<b>LAND USE CATEGORY</b> Commercial Retail	<b>COMBINING DESIGNATION</b> None	<b>ASSESSOR PARCEL NUMBER</b> 041-211-011	<b>SUPERVISOR</b> DISTRICT(S): 1
<b>PLANNING AREA STANDARDS:</b> Templeton Design Plan			
<b>LAND USE ORDINANCE STANDARDS:</b> 22.22.090 – Subdivision Design; 22.10 – 22.20 Site Planning and Project Design Standards			
<b>EXISTING USES:</b> vacant			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> North: Residential Suburban / Residential      East: Public Facilities / Templeton Middle School South: Public Facilities / Undeveloped and Templeton High School      West: Commercial Retail / Highway 101			
<b>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:</b> Vesting tentative parcel map and conditional use permit were originally referred to Templeton Advisory Group, Public Works, Environmental Health, Templeton Community Services District, Templeton Fire, Templeton School District, Cal Trans, APCD, Agricultural Commissioner, Parks, Building, RWQCB, City of Paso Robles, and City of Atascadero			
<b>TOPOGRAPHY:</b> Gently rolling to moderately sloping		<b>VEGETATION:</b> Grasses, oak woodland	
<b>PROPOSED SERVICES:</b> Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Templeton Fire Department		<b>ACCEPTANCE DATE:</b> N/A	
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>			

## TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Vesting Tentative Parcel Map CO 08-0115 was approved by the Subdivision Review Board (SRB) on September 13, 2010 and was set to expire on September 13, 2016. The applicant has requested a **first one year time extension and paid the extension application fee on August 11, 2016**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision making body. (A time extension for a tentative map also extends the life of the related development plan if it is required as a part of the subdivision process).

Vesting Tentative Parcel Map (CO 08-0115) and Conditional Use Permit is a request by Najdik Amirian to: 1) subdivide an existing 2.85 acre parcel into six parcels ranging in size from 9,021 square feet up to 19,475 square feet for development of a retail center; and 2) construction on the resulting parcels of five buildings of approximately 3,065 square feet, 3,128 square feet, 4,576 square feet, 4,964 square feet, and 5,145 square feet, parking for 99 vehicles, grading, and landscaping. The remainder of the property would remain as private open space. The project will result in the disturbance of approximately 2.3 acres on a 2.85 acre parcel. The project includes abandonment of Ag Hill Road that terminates at the CAL TRANS Right-of-Way along Highway 101.

This vesting tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for vesting tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Subdivision Review Board and the public.

## DISCUSSION

### The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved vesting tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was September 13, 2012. With recent amendments, the Subdivision Map Act now allows up to six (6) one year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **first discretionary one year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. Vesting Tentative Parcel Map CO 08-0115 and conditional use permit do not qualify for this state mandated extension because the tentative approval date was on September 13, 2010.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 08-0115 and conditional use permit do not qualify for this state mandated extension because the tentative approval date was on September 13, 2010.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014 – extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 08-0115 and conditional use permit were extended to September 13, 2014.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 11, 2013 extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 08-0115 and conditional use permit were extended to September 13, 2016.

### **Staff Determination and Recommendation**

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances.

After review of the vesting tentative map, staff recommends to the Subdivision Review Board that the **first one year time extension** be granted to September 13, 2017 subject to the conditions of approval set by the Subdivision Review Board on September 13, 2010.

### **ATTACHMENTS**

Attachment 1 - Project Graphics

Attachment 2 - Notice of Final County Action, September 13, 2010

Report prepared by Jo Manson and reviewed by Terry Wahler, Senior Planner